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COMMENT

Impunity politics and the law

The immunity of the few is made possible by the complicity of the many and the indifference of all those who watch but say or do nothing

By Makhdoom Ali Khan

SHEIKH Hasina Wajid, the former prime minister of Bangladesh, has been tried, convicted and sentenced to death for acts committed when in office. Denial of due process and the sentence of death should give us pause. No matter what the offence, neither is to be celebrated.

The verdict has been handed down by the International Crimes Tribunal, a special domestic court set up by her with handpicked judges to sort out those she wanted punished. She succeeded, and several men were hanged on trumped-up charges in show trials.

Times change, and with them the crosshairs of kangaroo courts and the loyalties of those who man them. It is a lesson for all who confuse alliances with friendships and mistake servility for loyalty: by the time they learn, it is too late, both for them and the institutions they torpedo.

The accusation against Hasina was a deadly crackdown on the student protests of 2024; the charge was crimes against humanity.

The episode put one in mind of the events of Friday, October 16, 1998. In a London clinic, an 82-year-old man was recuperating from a minor back operation. Around 11pm, there was a knock on the door. The man was woken up. He was informed of his rights. The order of his arrest was read out. International law turned a corner.

The man was General Augusto Pinochet. The coup he pulled had led to the death of Chile's popularly elected President, Salvador Allende. For 17 years, he had ruled with an iron fist. Compelled to step down after a referendum unexpectedly went against him, he sought and got watertight immunity.

A belt was added to braces. He was made a senator for life and secured more immunity. Ever careful to make his immunities ironclad, when travelling to England, he became head of a diplomatic mission to negotiate an arms deal with the United Kingdom.

Accused of many crimes against humanity – including conspiracy to torture and assassination of critics and opponents – he took no chances. But what he underestimated was the growing reach of law, fearless investigators and independent judges. A chink in the armour was found. An extradition warrant was issued by a Spanish magistrate. International law was its basis. After a few ups and downs, the House of Lords (then the highest court of England) came through.

It was not an easy case. As Ariel Dorfman, author of The Pinochet Case: Origins, Progress and Implications, wrote in the New York Review of Books, no precedent existed to answer two important questions.

First, could a foreign court pass judgment against a former head of state of another country for crimes against humanity, committed in his own country and against his own people? Second, did his status as a former head of state and his presence in England on a diplomatic mission guarantee him immunity from prosecution anywhere in the world?

The court ruled that Britain and Spain had the right to put Pinochet on trial. Given the nature of his crimes, he had no immunity. He was to be extradited.

The real heroes of this triumph of international law were ordinary people who, against all odds, had refused to give up and had pursued justice for the disappeared and the dead.

In the end, politics prevailed. The governments of Spain, UK and Chile made a deal. The judiciary of Chile underwrote it by promising to try Pinochet, but it never did. Pinochet escaped trial, first in Spain, and later in Chile for faux health reasons.

Sheikh Hasina Wajid too, may yet be able to beat extradition.

But all has not been in vain. Cases against several others were reopened, and prosecutions commenced. Pinochet died in his bed, but till he did, he lived in fear.

Others, too, began to beware the reach of the law. In 1999, Franjo Tudman, of Croatia, fearing being indicted for crimes during the Yugoslavian conflict, decided not to go to Germany for treatment.

In 2002, Henry Kissinger, cancelled a trip to Brazil; in February, 2011 George W. Bush aborted a trip to Switzerland, suspecting that he may be questioned for authorising waterboarding; and in 2023, after being indicted by the ICC, Russian President Vladimir Putin decided not to travel to South Africa.

While this may sound upbeat, one message from the authors of books on Pinochet's murderous rule and his comeuppance is that the immunity of the few is made possible by the complicity of the many and the indifference of all those who watch but say or do nothing.

The other and more significant take is that absolute rulers, guilty of crimes against humanity, no longer have impunity from the long reach of the law. To use an oft-quoted expression, "the arc of the moral universe is long but it bends towards justice".

The writer is a distinguished lawyer

PRESIDENT Donald Trump greets Saudi Crown Prince Mohammed Bin Salman on the South Lawn of the White House, in a ceremony filled with pomp, fanfare and a jet flyover.—AFP

Trump defends MBS as prince regrets Khashoggi's killing

- US president rolls out red carpet for visiting Saudi royal; claims to have clinched defence deal
- Riyadh wants to join Abraham Accords, seeks clarity on 'two-state solution', says MBS

WASHINGTON: President Donald Trump rolled out the red carpet for Mohammad Bin Salman on Tuesday, welcoming the Saudi crown prince to a pomp-filled, deal-making visit to the White House.

Making his first White House visit in more than seven years, the crown prince was greeted with a lavish display, presided over by Trump on the South Lawn, complete with a military honor guard, a cannon salute and a flyover by US warplanes.

The meeting underscores a key relationship – between the world's biggest economy and the top oil exporter – that Trump has made a high priority in his second term as the international uproar around the killing of journalist Jamal Khashoggi, a Saudi insider-turned-critic, has gradually faded.

Addressing the issue on Tuesday, MBS said the 2018 murder of the *Washington Post* columnist was a "huge mistake".

Talking about the murder, perpetrated by Saudi agents, the prince said: "it's painful and it's a huge mistake, and we are doing our best that this doesn't happen again."

However, his host defended MBS, calling Khashoggi "extremely controversial".

Trump chided the reporter who asked about the scandal, ordering him to "leave it at that". "You don't have to embarrass our guest by asking a question like that," he said, adding: "A lot of people didn't like that gentleman that you're talking about. Whether you like him or didn't like him, things happened, but he (the prince) knew nothing about it".

Khashoggi was killed in 2018 inside the Saudi consulate in Istanbul, Turkiye. The murder and dismemberment of the journalist, who'd been critical of the Saudi rulers, briefly caused a diplomatic crisis and prompted criticism from Trump, who was then serving his first term. Saudi officials later said his murder was a rogue operation, rather than something ordered by the leadership.

Defence deal

Trump began his remarks in the Oval Office by lauding MBS as a "very good friend" and saying he'd done an "incredible" job on "human rights, and everything else".

He said the US had reached a defence deal with Riyadh, without providing details, adding that he was working to approve the sale of advanced American AI chips to Saudi Arabia. The US president also said he had spoken to MBS about the Abraham Accords, adding that he believes he got a positive response.

MBS said his country wanted to normalise relations with Israel through Trump's Abraham Accords, but first needed a "clear path" to Palestinian statehood.

"We want to be part of the Abraham Accords. But we want also to be sure that we secure a clear path of two-state solution," the prince said in the Oval Office alongside Trump. "We're going to work on that, to be sure that we can prepare the right situation as soon as possible," he added.

Trump also denied that he had any conflicts of interest in negotiating with MBS, after his sons signed a major real estate deal in that country. During a day of White House diplomacy, MBS will have lunch in the Cabinet Room and attend a formal black-tie dinner in the evening, giving it many of the trappings of a state visit.—Agencies

First draft of climate pact lands at COP30

BELEM: COP30 hosts Brazil on Tuesday produced a first draft of an agreement between nations at the UN climate talks after negotiations on the sticking points stretched late into the night.

The draft includes a sweep of options on the most difficult issues, reflecting the gulf between the nearly 200 nations in Belem and the work still ahead to refine a final compromise.

The nine-page "Global Mutirao" document — a reference to an Indigenous concept of uniting toward a common goal — came after Brazil on Monday urged delegates to work day and night to produce an agreement by midweek.

The text leaves open a wide range of possibilities on the flashpoint issues in Belem — trade measures, finance for poorer nations, and the global inadequacy of carbon-cutting goals.

But the quick turnaround of a draft on these thorny points suggested the COP30 presidency was confident it could soon have an outcome, observers said.

"It represents a steady progression from the previous iteration and is likely one of the earliest releases of such a clean text in recent COP history," said Li Shuo, a climate analyst at the Asia Society Policy Institute.

The draft reflects the stark division between a coalition wanting a "roadmap" on a fossil fuel phase-out, and a bloc led by oil-producing countries opposing any such effort.

It proposes an optional "workshop" to discuss "low carbon solutions," or a high-level ministerial roundtable on pathways to help countries "progressively overcome their dependency on fossil fuels." A third option proposes no text at all.

The draft also raises the possibility of assessing national climate pledges annually, instead of every five years, to assess global progress in reducing greenhouse gas emissions more frequently.—AFP

15 terrorists gunned down in separate operations: ISPR

By Muhammad Irfan Mughal

DERA ISMAIL KHAN: Fifteen terrorists affiliated with the banned Tehreek-i-Taliban Pakistan (TTP) were gunned down by the security forces in separate operations in Dera Ismail Khan and North Waziristan, said the Inter-Services Public Relations (ISPR) on Tuesday.

In a statement, the military's media wing said the security forces conducted an intelligence-based operation in Kulachi on November 15 and 16 after reports about the presence of the terrorists in the area.

Ten terrorists were killed, including a ringleader Alam Mehsud, it added.

In another intelligence-based operation conducted in Datta Khel in North Waziristan, five terrorists were gunned down, the ISPR said, adding that sanitisation operations were being conducted to eliminate any other terrorists found in the area.

In a separate statement, the ISPR said a militant was killed in the early hours of Tuesday while planting an improvised explosive device under a bridge in Bannu district.

In another incident, two civilians were killed in a targeted attack in Tiarza tehsil of Upper South Waziristan district, while one of the attackers was also shot dead.

Police said the deceased were present at a shop in a local market when armed men opened indiscriminate fire at them.

The police recovered two hand grenades, a pistol, and a magazine from the killed militant.

Lakki attacks

Meanwhile, a police official was martyred in a gun attack by terrorists in the Serai Naurang town of Lakki Marwat district on Tuesday. Head Constable Fareed was targeted near Nar Sahibzada Khost on Nali Chak Road, while the attackers managed to flee the scene.

Militants also blew up a gas pipeline near Faqir Kallay in the jurisdiction of the Shahbazkhel police station in Lakki Marwat district on Monday night. A police official said that an explosive device planted by terrorists damaged the infrastructure.

Ghulam Mursalin Marwat in Lakki Marwat and AK Wazir in South Waziristan also contributed to this report

Europe looks to catch up with US in AI race

BERLIN: Europe must strive to lead in the AI race, top officials urged on Tuesday at a summit focused on propelling the region to the forefront of the digital era and reducing its reliance on US tech titans.

As the Berlin gathering got underway, the EU also announced that Amazon and Microsoft cloud services could face stricter competition rules in the bloc as Brussels probes their market power.

The summit brought together leaders from Europe's tech sector, and was to be addressed by German Chancellor Friedrich Merz and French President Emmanuel Macron.

"Europe's goal is very simple: we want to lead, not follow, on AI and frontier technologies," European Commission digital chief Henna Virkkunen told the opening of the event. "We have the market, we have the talent, we have the ambition. Now we must deliver scale in investment, innovation and uptake."

Europe is responding to calls to blaze its own digital path and take steps to catch up in the AI race against China and the United States. Concerns about US tech dominance have also grown as ties with Washington become increasingly uneasy under the "America First" administration of Donald Trump.

Despite the US-Europe tensions, a senior official from the French presidency said the summit was not about "confrontation" with the United States or even China, but rather protecting "our core sovereignty".—AFP

PPP's Rathore sworn in as AJK premier

- In absence of AJK president, Speaker Latif Akbar administers oath to Raja Faisal Rathore
- Maiden speech features gratitude, six-month goals
- Bilawal says state govt won't be run from behind closed doors
- Shehbaz Sharif congratulates new AJK PM

By Tariq Naqash

MUZAFFARABAD: Pakistan Peoples Party's (PPP) regional secretary general Raja Faisal Mumtaz Rathore was sworn in as the 16th prime minister of Azad Jammu and Kashmir (AJK) since the inception of the parliamentary form of government in the region at a largely attended ceremony at Aiwan-i-Sadr on Tuesday.

The oath was administered by Legislative Assembly Speaker Chaudhry Latif Akbar, as President Barrister Sultan Mahmood could not travel to Muzaffarabad from Islamabad due to serious illness.

The oath-taking ceremony witnessed chaotic scenes before its commencement, as hundreds of PPP workers thronged the President's House to watch the installation. Big screens were placed in the lawns for party workers who were eventually allowed inside the premises.

AJK Legislative Assembly Speaker Chaudhry Latif Akbar administers oath of office to newly elected PM Raja Faisal Mumtaz Rathore.—Online

Among the attendees were PPP chairman Bilawal Bhutto-Zardari, MNA Faryal Talpur, Khyber Pakhtunkhwa Governor Faisal Karim Kundi, Gilgit-Baltistan Governor Syed Mehdi Shah, AJK lawmakers, senior civil servants, political activists and party supporters.

Earlier, due to Mr Bhutto-Zardari's participation, security outside the Presidency was taken over by Sindh police contingents, who stopped and reportedly slighted several media persons and local dignitaries, including a former prime minister, a member of the AJK Council and some sitting MLAs.

The ceremony, originally scheduled for 11am, began around 12:30pm after Mr Bhutto-Zardari arrived by helicopter from Islamabad.

Every day is equal to six months

Speaking after taking the oath, the newly sworn-in premier said he wholeheartedly thanked Allah. "In these extremely difficult times, fulfilling this responsibility is not easy, but Allah burdens a person only as much as he can bear," he said.

Mr Rathore vowed to honour the trust reposed in him by PPP Chairman Bhutto-Zardari through good governance and complete transparency.

He recalled his family's political legacy, noting that in 1975, Shaheed Zulfikar Ali Bhutto gave his father, Raja Mumtaz Hussain Rathore, a senior ministry. In 1990, Shaheed Benazir Bhutto entrusted him with the premiership. "And today, in 2025, I have been elected prime minister," he said, while thanking President Asif Ali Zardari and Faryal Talpur who he described as "motherly and compassionate" for reposing confidence in him.

He said the previous government had taken six months to form a cabinet, whereas his government had "a total of six months — and every single day of ours will be equal to six months". Education, health and justice must be delivered to the common man, he stressed.

He thanked PM Shehbaz for deciding to support the PPP in AJK. "We will hold open courts, go to the grassroots and ensure public service. We will restore the dignity and self-respect of the people," he said.

'Visit every nook and corner'

Speaking on the occasion, Mr Bhutto-Zardari said the party's bond with the people of Kashmir spanned three generations and could not be undermined "by any conspiracy". He directed Mr Rathore to visit "every nook and corner" of the region and hold public meetings in the spirit of Shaheed Zulfikar Ali Bhutto, adding that the premier must engage directly with citizens to address their grievances.

"These six months are a test. After this test, we will again obtain the people's mandate and lead the government… We will not run the AJK government from behind closed doors; we will work among the people and resolve their problems," he said.

Earlier, PM Shehbaz called Mr Rathore to congratulate him on his election. He said the prosperity and progress of AJK were among the federal government's top priorities.

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